

LEVINE & ASSOCIATES, P.C.
ATTORNEYS-AT-LAW

15 Barclay Road
Scarsdale, New York 10583-2707
e-mail: ml@LevLaw.org
Fax (914) 725-4778
Telephone (914) 600-4288

November 2, 2022

Via ECF and email

Hon. Sean H. Lane, U.S.B.J.
300 Quarropas Street
White Plains, NY 10601-4140

RE: Yeshiva Chofetz Chaim Inc. v. 82 Highview LLC (22-7033)

Dear Judge Lane:

The undersigned is counsel to the Defendants in the above-referenced Adversary Proceeding and special litigation counsel to the Debtor in the underlying bankruptcy case (22-22493). This letter is being submitted jointly with counsel for Plaintiffs.

As the Court is aware, a stipulated discovery and briefing scheduling order was issued by the Court on September 28, 2022 [DE-6] with respect to Plaintiffs' motions for remand/abstention in the above-referenced adversary proceeding (the "Omnibus Motion") and/or to dismiss the underlying Chapter 11 case (22-22493) (the "Dismissal Motion"). On October 12, 2022, the Court issued a memorandum endorsement [DE-11] granting the consensual modification of the discovery and briefing schedules. The parties thereafter engaged in further discussions in an attempt to resolve discovery issues and agreed, subject to the Court's approval, to forego discovery in connection with those motions and to submit opposition and reply papers based on the matters raised in Plaintiff's amended Omnibus Motion [DE-9] and their renewed Dismiss Motion [DE-38 in Docket 22-22493]. The parties have further agreed, subject to the Court's approval, that opposition papers to those motions will be filed by December 5, 2022, and reply papers will be filed by December 15, 2022. Hopefully, the Court will be able to schedule a hearing on those motions as expeditiously as possible after those submissions.

The parties respectfully jointly request that the Court modify the briefing schedule consistent with above.

Thank you for your attention.

Respectfully,

s/ *Michael Levine*

MICHAEL LEVINE
cc. All counsel (via ECF and email).